

City of Laramie
Planning Division
P.O. Box C
Laramie, WY 82073

Planning: (307) 721-5207
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Planning Commission Memo – 1.23.2023

RE: Z-22-01: Rezoning for Laradise Estates (B1/B2 to R1)

On December 12, 2022 the City of Laramie Planning Commission postponed the rezoning request Z-22-01 to the January 23, 2023 regular Planning Commission meeting. Postponement of the Zoning request and Preliminary Plat related to the Laradise Subdivision, was a result of the failure to approve the associated Comprehensive Plan Amendment for the same project.

On January 3, 2023, the applicant JT Walsh provided the City and Planning Commission a letter, requesting that the Planning Commission reconsider the Comprehensive Plan Amendment. At the January 9, 2023 Planning Commission meeting, the Commission considered this request by the applicant. The Comprehensive Plan was added to the agenda and then brought back for reconsideration and then subsequently postponed to the January 23, 2023 meeting and hence why this item is back for consideration at your January 23, 2023 meeting.

City staff has included the original staff report that was postponed at the December 12, 2022 meeting, with no changes. All additional information related to this item has been included in this memo. Overall, staff has minimal information to add related to the rezoning request that is not included in the staff report or found within the Comprehensive Plan Amendment Staff report, specifically related to the discussion about residential vs. commercial uses. Because the City recommends approval of the Comprehensive Plan Amendment (CPA-22-01), the city remains supportive and recommends approval of the request to R1, single-family residential zoning.

The City has attached the January 3, 2023 letter from the applicant, JT Walsh, which provides additional information regarding the Comprehensive Plan Amendment and Rezoning, the memo from John Wetstein, with Engineering Associates, who conducted the SSI peer review for the City, related to commercial vs. residential uses and the two public comments we have received since the December 12, 2022 Planning Commission meeting.

December 30, 2022

Laramie Planning Commission
P.O. Box C
Laramie, WY 82073

Commissioners:

At the December 12, 2022 Planning Commission meeting, the Commission denied our application for a Comprehensive Plan Amendment (CPA-22-01) to allow residential development at our property on the east end of town, adjacent to Grand Avenue. This denial effectively kills our project, one in which we have invested significant energy and monies, and one that we believe will benefit the Laramie community with 55 lots for residential development. If approved, we hope to engage builders to build approximately ten single family houses per year until fully built. With this letter, we respectfully request that the application for Comprehensive Plan Amendment be brought forth for Reconsideration.

When the Comprehensive Plan was adopted in 2007, the parcel under consideration was designated for commercial use, but in the fifteen years following the adoption of the plan, significant changes have occurred on the east end of Laramie that compel consideration of this Application for Amendment of the Comprehensive Plan. Development of the Imperial Heights Park (2016), Construction of Laramie High School at Boulder Drive (students began attending 2016), the Pilot Hill Land Swap (2021), and ongoing expansion of off-road Pathway system are all new amenities, relative to the adoption of the Comprehensive Plan, that support residential development of this parcel.

In addition, the Laramie Wyoming Housing study, completed 2015, projects that Laramie would require an estimated 988 units of housing for non-elderly families (the target market for this development) by 2020. The City of Laramie Annual Report by Code Administration for years 2016 through 2020 recorded just 280 single family units and 149 multi-family units, which leaves a shortage of 559 housing units. The Residential Site Analysis Criteria used within the Housing Study rated potential development sites according to proximity to the following amenities (The consultants' limits of consideration did not include this parcel) with priority given to sites within shorter distances. Per the table below, were this parcel included in the Study, it would have ranked high on the list of desirable sites.

AMENITY	DISTANCE
Educational	1 mile
Recreational	Walking
Shopping/Grocery	0.5 miles
Religious	Walking
Medical	1.6 miles

We propose to develop a project toward this purpose, providing 55 additional single family residential lots.

All of these factors support the development of this site for residential use, and we have invested laboriously to create a desirable neighborhood for families that is close to schools, a developed park, open space at Pilot Hill, shopping, and other existing residences. We again request the Application for Amendment to the Comprehensive Plan be Reconsidered at the January 9, 2023 Planning Commission meeting.

Sincerely,

JT Walsh, Jerry Walsh, Wade Alexander

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J. T. Walsh
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Jan-03-2023

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[Signature]
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Jan-03-2023

DocuSigned by:
Wade Alexander
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Jan-03-2023

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Envelope Id: 631D2A3281D546B79C6BDD3591437DED	Status: Completed
Subject: JT Walsh - Letter to City Engineer	
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	Laramie, WY 82070
	jtw@realestate1wyo.com
	IP Address: 67.43.209.197

Record Tracking

Status: Original Jan 3, 2023 11:15	Holder: JT WALSH jtw@realestate1wyo.com	Location: DocuSign
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Signer Events

J.T. Walsh
jtw@realestate1wyo.com
Associate Broker/Owner
Real Estate 1, Jerry Walsh & Co. LLC
Security Level: Email, Account Authentication (None)

Signature

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Jerry B. Walsh
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Security Level: Email, Account Authentication (None)

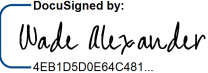
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Wade Alexander
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President
Alexander Excavation Inc.
Security Level: Email, Account Authentication (None)

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Operating Systems:	Windows® 2000, Windows® XP, Windows Vista®; Mac OS® X
Browsers:	Final release versions of Internet Explorer® 6.0 or above (Windows only); Mozilla Firefox 2.0 or above (Windows and Mac); Safari®, 3.0 or above (Mac only)
PDF Reader:	Acrobat® or similar software may be required to view and print PDF files
Screen Resolution:	800 x 600 minimum
Enabled Security Settings:	Allow per session cookies

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From: [Marty McKinney](#)
To: [Derek Teini](#)
Subject: Laradise
Date: Monday, January 9, 2023 3:08:30 PM

[External]

After receiving an email from Mr. Walsh I am In support of his subdivision I would much rather have additional Single family dwellings rather than a strip mall or a hotel to drive by everyday

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Sent from my Android phone with [mail.com](#) Mail. Please excuse my brevity.

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From: [Elizabeth Hamilton](#)
To: [Planning](#)
Subject: Laradise Land Residential Zoning
Date: Friday, January 6, 2023 9:35:20 PM

[External]

I own a property at 5105 Morgan Dr. I would like to share my opinion on the zoning issue where Laradise Land wants to build residential homes. I believe it should be changed to residential instead of commercial. Residential zoning can encourage inclusion, create opportunities for family's, protect open spaces, and prevent incompatible land uses. Having a commercial property reside on that land is a terrible idea. Commercial zoning can increase the cost of building new structures. We already have two commercial buildings in the neighborhood at 4802 Sherman Hill Rd that have been sitting vacant for almost 15 years. Laradise Land already owns the land, if they can't build residential, they're going to build commercial. Taking in environmental effects, residential will be much more feasible. I have lived in Laramie for twenty seven years, I've been a business owner for 17 years, and we own multiple properties around Laramie. I want what's best for Laramie, commercial property on this land is not wanted or needed.

Regards,
Elizabeth Hamilton
(307) 760 3714

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MEMORANDUM

TO: City of Laramie - Planning

FROM: Engineering Associates, John Wetstein, PE, PG

DATE: January 13, 2023

SUBJECT: **Threat to Groundwater Comparison: Residential vs Commercial**

This memorandum is a very generalized review of the potential threats to a groundwater system from a residential development versus that of commercial development. A quick reference search was made with regards to this memo's subject. This search resulted in no documents being found which is not surprising given the generally accepted knowledge of the potential risks to an aquifer presented by each of these types of development and any real comparison of the benefits of one type over another would depend on very project specific details.

Several assumptions were made in preparing this memo.

1. Commercial activity would not include any previously identified prohibited activity,
2. The municipal water supply source would be the same for both types of development,
3. Both development types will be connected to the same municipal sanitary sewer system with equal lengths of sewer piping, and
4. The street configuration will be the same for each type of development.

The potential risks associated with residential development are:

1. Land cover issues (impervious surfaces) increased stormwater flow;
2. Oil, gas and other fluid leaks from vehicles traveling on roads in the development and in driveways;
3. Increase in use of fertilization on landscaping;
4. Improper storage and use of household chemicals;
5. Improper disposal practices (vehicle fluids, household chemicals); and,

6. Sanitary waste generation and disposal.

The potential risks associated with commercial development that are not listed on the prohibitive activity list are essentially the same as those listed for residential development. The difference between the two types of use then becomes a measure of volume. To follow is a comparison between residential use and commercial use for the six (6) types of groundwater risks identified previously.

Land Cover: The issue with land cover is that the area of impervious material has increased and therefore the volume of stormwater runoff generated increases. Potential spills on impervious surfaces such as parking lots, streets, and driveways will be washed over by the stormwater runoff. The stormwater will pick up some of the fluids that have been leaked, spilled or dumped on the impervious surfaces and potentially convey them to impervious areas that will then potentially threaten the aquifer. The threat to the aquifer system is that instead of just a small volume of water mixing with the spilled fluids (individual raindrops/snowmelt on a leak spot), there is now a larger volume of water that is able to pass over the fluid deposit area and possibly pick up and convey more of the harmful fluids. As the contaminated stormwater runoff passes over or is collected in permeable areas (cracks in curb and gutter, streets, sidewalks or is retained in stormwater retention ponds) the contaminated water is able to percolate down through the soils and possibly into the groundwater system. Instead of just a small point source of contamination from the infiltration of precipitation in a small spill area, the larger stormwater runoff results in a larger volume of contaminated water introduced at a vulnerable point source, area.

The impervious land cover associated with a single family residence is typically the house/garage (roof area) and the driveway. The average house size in the United States is 2,500 square feet (<https://www.thepinnaclelist.com/articles/what-average-house-size-united-states/>). An average two-car garage is approximately 20' x 20' (400 square feet) and a typical driveway is 24 feet wide. The length is unknown but if a typical lot size is 18,000 square feet ($\approx 130' \times 130'$), therefore the driveway at a maximum in this instance would be approximately 100 feet. The area of the driveway would be approximately $24' \times 100' = 2,400$ square feet. The approximate impervious area of a residential lot would be:

House:	2,500 ft ²
Garage:	400 ft ²
Driveway:	<u>2,400 ft²</u>
Total Area:	5,300 ft ²

In comparison two of the potential commercial uses could be a hotel/motel or a restaurant. The average hotel in the United States is approximately 48,000 square feet (<https://www.dependablepickup.com/how-many-square-feet-is-an-average-hotel-building/>). If it is assumed that this building is three stories, the roof area of the hotel is 16,000 square feet. The typical parking space per square foot of hotel area is 2.4 spaces per 1,000 square feet. Therefore, a 48,000 square foot hotel would require $48,000/1000 \times 2.4 = 115$ parking spaces. The average parking space is approximately 160 square feet (18' x 9'); therefore, the parking area required for an average size hotel would be $115 \times 160 = 18,400$ square feet. The approximate impervious area of an average size hotel would be:

Hotel Roof Area:	16,000 ft ²
Parking Lot Area:	<u>18,400 ft²</u>
Total Area:	34,400 ft ²

Looking at the square footage of the house/garage versus the hotel, approximately 5½ residences would equate to one average hotel (16,000 ÷ 2,900). The total impervious area of 5½ residential homes is 29,150 square feet (5½ x 5,300) as compared to 34,400 square feet for an average size hotel, assuming a three story structure.

Another possible commercial use is a restaurant. An average size family restaurant is approximately 6,000 square feet (<https://bizfluent.com/info-12010139-much-room-need-restaurant.html>). Parking spaces required for a restaurant is approximately 1 space per 75 square feet. Therefore, a 6,000 square foot restaurant would require 80 parking spaces. The parking area required would be approximately 12,800 square feet (80 x 160). The total impervious area associated with a 6,000 square foot family restaurant would be:

Restaurant Roof Area:	6,000 ft ²
Parking Lot Area:	<u>12,800 ft²</u>
Total Area:	18,800 ft ²

Looking at the square footage of the house/garage versus an average family size restaurant, approximately 2.1 residences would equate to one average restaurant (6,000 ÷ 2,900). The total impervious area of 2.1 residential homes is 11,130 square feet (2.1 x 5,300) as compared to 18,800 square feet for an average size family restaurant.

Summary:

The impervious area of an average three-story 48,000 square foot hotel would be approximately 1.2 times that of a residential development (5½ residential lots).

The impervious area of an average 6,000 square foot family restaurant would be approximately 1.7 times that of an equivalent structural area of an residential area.

Commercial development on average will generate more runoff than a residential area, and is therefore more of a potential threat to groundwater.

Vehicle Fluid Leaks: Fluid leaks associated with a residential development are primarily associated with the family owned vehicles parked outside of the garage. The average residential population is approximately 2.43 people per household. Assuming that each person (3 people) drive a vehicle, only one would be parked outside (assumed residence has a two-car garage).

The other potential area for vehicle fluid leaks is the driving to and from the residence. As a conservative estimate, assume each vehicle makes four trips per day (to work in the morning, back for home for lunch, back to work and finally back home at the end of the day). This would equate to 12 trips (4 trips per three vehicles).

In comparison, a 48,000 square foot hotel could potentially have 115 rooms. If there were one vehicle per each room, this would equate to 230 trips (two trips per vehicle). This does not include the trips by the hotel or visitor staff. Looking at the vehicle trips for an equivalent residential area (5½ residents), the number of residential trips is 5½ x 12 = 60 trips, as compared to 230 trips with the hotel.

With respect to a 6,000 square foot family restaurant, the serving area is approximately 45% of the building area or 2,700 square feet. Within this dining area the average area per person is 14 square feet. Therefore, a total of 193 people could be seated in the 2,700 square foot dining area (2,700 ÷

14). If the dining area is comprised of tables seating 4 people, the number of tables would be 48 tables. If one vehicle is assigned with each table, and if the tables were turned over three times during the day, the total number of vehicle trips into and out of the restaurant would be 288 trips (48 x 3 x 2 trips per vehicle). The equivalent residential trips would be $2.1 \times 12 = 25.2$ trips as compared to 288 trips.

Although vehicles will not typically be parked overnight at a restaurant, the number of vehicles parked, if each is parked for 2 hours, would equate to 288 hours of parking as compared to approximately 29 hours in equivalent residential parking (2.1 vehicles x 14 hours of stationary parking).

Summary:

The number of vehicle trips into and out of the hotel would exceed the equivalent residential trips by 3.8 times ($230 \div 60$). Additionally, potentially 115 vehicles could be parked overnight leaking vehicle fluids as compared to $5\frac{1}{2}$ vehicles with a residential development.

For the restaurant, the vehicle trips again exceed the equivalent number of residential trips by over 11 times the residential number ($288 \div 25.2$). The hours of a parked car potentially leaking fluid in a residential development are approximately 29 hours as compared to 288 hours in a restaurant setting.

Commercial development is associated with more vehicle traffic into and out of a development area and in more parked car hours than a residential area. Therefore, the opportunity for leaked vehicle fluid to impact an aquifer is greater in a commercial development than in a residential development. This discussion neglects the general accepted concept that a residential land owner will take better care of his leaking vehicles and/or the spill than a person that parks in a hotel or restaurant parking lot.

Fertilizer Use: This is difficult to quantify, but it is generally accepted that there will be more landscaping associated with a residential area than with a commercial development. Also, the commercial development is more likely to retain the services of a professional landscaping company to take care of their landscaping maintenance. Therefore, a commercial facility is less likely to store and apply fertilizer/herbicides/pesticides than that of a residential development and the application of these products will generally be done by a professional.

Summary:

The use of fertilizers and other landscaping/gardening chemicals is less likely to impact a groundwater system in a commercial development as opposed to that of a residential development.

Improper storage and use of household chemicals: Both commercial buildings and residential buildings will use household cleaning items. Since we are trying to compare equivalent commercial area to residential area, the volume of chemicals/household products used will essentially be the same. Generally, the cleaning products will be stored in both a residential building as well as in a commercial building. The only difference again comes down to the use of these products and is a subjective analysis. The use of the cleaning products in a commercial development is done by staff or employees of a cleaning business. There may be some difference between the care of the use and storage of these chemicals by the commercial staff as opposed to that of the residential home

owner.

Summary:

With respect to the storage and use of household chemicals, it is our opinion that the threat to a groundwater system would be the same between that of a residential development and that of a commercial development.

Improper Disposal Practices: The opportunity to potentially impact an aquifer by the improper disposal of fluids, primarily vehicle fluids (old oil, gas, antifreeze, etc.) is possible in both a residential development and a commercial development. However, because of the transient nature of most of the people visiting commercial facilities (retail stores, hotels, restaurants), the likelihood of this improper disposal practice taking place in a commercial setting is far less than that in a residential setting.

Summary:

The improper disposal of harmful fluids is less likely to impact a groundwater system in a commercial development as opposed to that of a residential development.

Sanitary Waste Generation: It was stated earlier that it was assumed that both commercial and residential developments are served by a central sanitary sewer system. This comparison looks at just the volume of wastewater generated in a couple of the more high wastewater generating commercial facilities as compared to that of an average residential household. Although the volume of wastewater lost in a properly constructed sewer collection system is small, this comparison provides some insight into the potential risk to an aquifer should a break in sewer pipe occur.

Per Wyoming Department of Environmental Quality guidelines, the sanitary waste from an average sized house with three bedrooms is 390 gallons per day (gpd). The associated waste generated in a hotel facility is 140 gallons per bedroom and in a restaurant is 10 gallons per meal served. As described previously, an average 48,000 square foot hotel will have approximately 115 rooms (bedrooms) and therefore will generate 16,100 gpd and an average size family restaurant of 6,000 square feet will serve approximately 579 meals per day (193 people occupancy x 3 turnovers per day) which equates to 5,790 gpd.

Comparing an equivalent number of residents to the hotel (5½ households), the residential waste generated is 2,145 gpd. This volume is approximately 13.3% of that generated by a hotel. Similarly, the equivalent area of a residential development (2.1 households) as compared to a 6,000 square foot restaurant will generate approximately 819 gpd which is 14.15% of that generated by the restaurant.

Summary:

The two average size commercial developments reviewed (hotel and restaurant) will generate over seven (7) times the volume of sanitary waste as that generated in an area equivalent residential development.

Conclusion: On the following page is a matrix of the potential impacts to a groundwater system from two feasible types of commercial development. As shown is this matrix, a commercial development appears to present a greater potential risk to a groundwater system than a residential development. Again, this is a gross generalization, and the proposed commercial use of a land

area would need to be known in order to make a more site specific comparison of the risks associated with each type of development (commercial or residential).

Potential Risk Comparison Matrix

Potential Risk Item	Presents Greatest Risk to Aquifer System	
	Residential	Commercial
Land Cover (Stormwater Runoff)		x
Vehicle Fluid Leakage		x
Fertilizer/Pesticide/Herbicides	x	
Improper Storage and Use of Household Chemicals	----	----
Improper Disposal Practices (vehicle fluids, etc.)	x	
Sanitary Waste Generation		x